

WC 16.04.060 Industrial Districts

- A. Performance Standards - The industrial uses defined below, including accessory buildings and uses, are permitted in the districts indicated in Figure 1 in accordance with the requirements of this section. No activity involving the storage, utilization or manufacture of materials or products which decompose by detonation shall be permitted unless specifically approved and licensed by the Town Council and then only in the OI district. Such activity shall be conducted in accordance with the rules promulgated by the Indiana State Fire Marshal. Such materials shall include, but are not limited to, all primary explosives such as lead azide, lead styphnate, fulminates, and tetracene; all high explosives such as TNT, HMX, PET, and picric acid, propellants and components thereof, such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamite and nitroglycerin; unstable organic compounds such as acetylides, tetrazoles, and ozonides, strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than 35 percent; nuclear fuels, fissionable materials and products and reactor elements such as uranium 235 and plutonium 239.

The restrictions of this section shall not apply to (1) the activities of site preparation or construction, maintenance, repair, alterations, modification or improvement of buildings, equipment or other improvements on or within the lot line; (2) the operation of motor vehicles or other facilities for the transportation of personnel, materials or products; (3) conditions beyond the control of the user such as fire, explosion, accidents, failure or breakdown of equipment or facilities or emergencies; (4) safety or emergency warning signals or alarms necessary for the protection of life, limb or property.

1. EI - An enclosed industrial district is one for industry to conduct their operations entirely within enclosed buildings of any size and shall be used so as to comply with the standards in paragraph C. herein.
2. OI - An open industrial district is one for industry requiring both buildings and open area for manufacturing, fabricating, processing, extraction, heavy repairing, dismantling, storage or disposal of equipment, raw materials, manufactured products or wastes, and shall be used so as to comply with the standards in paragraph C. herein.
3. Standards for Enclosed and Open Industrial Uses:
 - a) Smoke -
 - For Enclosed Industrial district the emission of more than 70 smoke units per hour per stack and emissions in excess of Ringelmann No. 2 are

prohibited, except that for one hour during any 24 hour period, this rate may be increased to 80 smoke units per stack up to and including ringelmann No. 3 for the purging, soot blowing and fire cleaning.

- For Open Industrial districts the emission of more than 90 smoke units per hour per stack and emission in excess of ringelmann No. 3 are prohibited, except that for a one hour period during the 24 hour period this rate may be increased to 120 smoke units per hour per stack, still at ringelmann No. 3 for purposes of process purging, soot blowing and fire cleaning.
- b) Particulate Matter - The rate of emission of particulate matter from an individual process within the boundaries of any lot shall not exceed a figure of 0.06 pounds per 1,000 pounds of effluent gas for enclosed industrial use, not 0.2 pounds per 1,000 pounds of effluent gas for open industrial use. For enclosed industrial use and open industrial use not more than 50 percent by weight particles larger than 44 microns (325) mesh shall be allowed.
- c) Odor - Any enclosed or open industrial use activity or operation which releases odors to the atmosphere shall be so controlled as to insure that it will produce no public nuisance or hazard at or beyond the nearest residential district boundary line.
- d) Poisonous and Injurious Fumes and Gases - The emission of toxic or injurious fumes and gases shall be controlled so as to comply with the following:
The emission from any source shall not cause at or beyond any lot line, concentrations of toxic and/or injurious fumes and gases in excess of 10 percent for an enclosed industrial use, and 25 percent for an open industrial use, of the threshold limit as set for the fume or gas in question in the "Threshold Limit Values for Toxic Materials in Industry" issued by the Indiana Department of Environmental Management, from the American Conference of Governmental Hygienists, latest issue. The emission of any gas or fumes across lot lines in such concentrations as to be detrimental to or endanger public health, safety, comfort and welfare or shall cause injury or damage to property or business is prohibited.
- e) Glare and Heat - No enclosed or open industrial use, operation, activity or structure shall cause heat or glare in such a manner as to be a public nuisance at or beyond any residential or business district boundary.
- f) Vibration - Any enclosed or open industrial use creating intense earthshaking vibrations such as are created by a heavy drop forge shall be set back from a residential district boundary at least 250 feet, or at least 150 feet from a business district boundary. Earthshaking vibrations at the industrial property line shall not be in violation of this ordinance as long as the vibration is not perceptible without the aid of instruments.

g) Noise -

- 1) Enclosed Industrial Use - At no point 125 feet from the boundary of an enclosed industrial district, or any district which permits an enclosed industrial use, shall the sound pressure level of any operation or plant (other than background noises produced by sources not under the control of this chapter) exceed the decibel limits in the octave bands designated below:

Enclosed Industrial Use		
Octave Band Frequency Cycles Per Second	Maximum Permitted Sound Level (in decibels) 125 Feet From District Adjoining Residential District Boundaries	Maximum Sound Level (in decibels) 125 Feet From District Adjoining Business District Boundaries
0 to 75	75	80
76 to 150	70	75
151 to 300	65	70
301 to 600	59	64
601 to 1200	53	58
1201 to 2400	48	53
2401 to 4800	48	49
Above 4800	41	46

Sound levels shall be measured with a sound level meter and associated octave band analyzer or filter, manufactured in compliance with standards prescribed by the American Standards Association.

- 2) Open Industrial Use - At no point 125 feet from the boundary of an open industry district shall the sound pressure of any operation or plant (other than background noises produced by sources not under control of this chapter) exceed the decibel limits in the octave bands designated as follows:

Open Industrial Use

Octave Band Frequency Cycles Per Second	Maximum Permitted Sound Level (in decibels) 125 Feet From District Adjoining Residential District Boundaries	Maximum Sound Level (in decibels) 125 Feet From District Adjoining Business District Boundaries
0 to 75	75	81
76 to 150	70	76
151 to 300	66	72
301 to 600	62	68
601 to 1200	57	63
1201 to 2400	53	59
2401 to 4800	49	55
Above 4800	45	51

Sound levels shall be measured with a sound level meter and associated octave band analyzer or filter, manufactured in compliance with standards prescribed by the American Standards Association.

- h) Fire Hazards - The storage, utilization or manufacture of solid materials, or products ranging from incombustible to moderate burning is permitted. The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted provided the following conditions are met:

- For Enclosed Industrial use and Open Industrial use said materials shall be stored, utilized or manufactured in such a manner and protected by such means as approved by the Indiana State Fire Marshal
- For Enclosed Industrial use and Open Industrial use the storage, utilization or manufacture of flammable liquids or gases which produce flammable or explosive vapors shall be permitted in accordance with the rules and regulations of the Indiana State Fire Marshall regulating the use, handling, storage and sale of flammable liquids - Official Regulation Number 5, effective July 23, 1973.

4. Other provisions and requirements for Enclosed Industrial districts and Open Industrial districts are as follows:

- The disposal of wastes discharged into public streams and sewage systems shall meet the requirements of the stream pollution control law of the State of Indiana (IC 13-1-3) as amended.
- One-half of an alley abutting the rear of a lot may be included in the rear yard, but such alley space shall not be included for loading and unloading berths.

- In all districts permitting enclosed industrial districts or open industrial districts, it is permissible to erect more than one principal building devoted to enclosed industrial or open industrial use on a lot.
- Buildings may be erected higher than the normal maximum height of 60 feet in the enclosed industrial, open industrial, and general business districts, provided that buildings shall be set back from the required side yard lines and rear yard lines one foot for each two feet of height above 45 feet.
- Chimneys, cooling towers, elevator bulkheads, fire towers, scenery lofts, power transmission lines or towers and distribution poles and lines, and essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.
- The Plan Commission shall review and approve plans to assure adherence to developmental standards and overall conformity to the master plan and Zoning Ordinance.

B. EI - Enclosed Industry District -

1. Permitted Uses -

- All industrial uses as outlined in Figure 2 are permitted in this district provided the use conforms with the applicable requirements set forth in the General Requirements and Standards of this section.
- All businesses listed under “Enclosed Industrial” as contained in Figure 2.

2. Special Exceptions -

- General construction companies
- Painting and decorating contractors - heavy commercial
- Electrical contractors - heavy commercial
- Plumbing contractors - heavy commercial
- Concrete contractors - heavy commercial
- Roofing contractors - heavy commercial
- Sheet metal contractors - heavy commercial
- Septic system contractors
- Ice and coal stations
- Coal yards
- Salt storage - outside
- Night clubs, bars and restaurants which have less than 50% of their proposed gross sales derived from food sales
- Kennels

- Lumber yards - including millwork
- Liquor stores
- Taverns
- Amusement parks
- Manufactured home parks - in accordance with the provisions of WC 16.04.090
- Convents, monasteries, theological schools, rectories, parish houses

Planned Business Developments for 5 or 10 acres or more for all classes of Local and General Businesses contained in Figure 2 do not require an approval as a special exception.

3. Minimum Tract Requirement - 3 Acres
4. Lot Frontage on Road - Not less than 70 feet
5. Minimum Setback Lines -
 - Front Yard - Not less than 100 feet on expressways, primary arterials, and secondary arterials. Not less than 40 feet on all other streets.
 - Side Yard - Not less than 20 feet in width except a side yard abutting a street or road shall be not less than 40 feet in width
 - Rear Yard - Not less than 20 feet in depth
 - Minimum Lot Width at Building Line - None
6. Maximum Building Height - Shall not exceed 60 feet
7. Minimum Gross Ground Level Space - None
8. Parking - Off-street parking shall be provided in accordance with the provisions in this chapter.
9. Loading and Unloading Berths - Loading and unloading berths shall be provided in accordance with the provisions of this chapter.

C. OI - Open Industrial District -

1. Permitted Uses - The uses as outlined in Figure 2 are permitted in this district provided the use conforms with the applicable requirements set forth in the General Requirements and the Performance Standards of this section.

2. Special Exceptions -

- Amusements Parks
- Explosive, matches and fireworks manufacturing
- Abattoir
- Coke manufacturing
- Kennels
- Foundries
- Leather products manufactured from finished leather
- Thermal, electric, steam and atomic power plants
- Creosote manufacturing and treatment
- Auto Race Tracks and Speedways
- Fat Rendering and Fertilizer Manufacturing
- Heliports
- Leather Curing and Tanning
- Manufacture of Chemicals and Gasses
- Manufacture of Cement, Lime or Gypsum
- Manufacture of Detergents and Soaps
- Glue Manufacturing
- Malt Products, Brewery, Distiller of Liquor & Spirits
- Oil Processing, Refining and Manufacturing
- Open Hearths and Blast Furnaces
- Production of Emulsified Asphalt and Preparation of Asphaltic Concrete Paving Materials
- Radio, Facsimile, TV and Microwave Towers
- Reduction Plants
- Railroad and Other Mass Transit Right-of-Way and Track
- Sand, Gravel, or Aggregate Processing
- Rock Crushing , Grinding or Milling
- Slaughtering and Allied food Processing
- Slaughter House
- Stockyards - for Shipping, Holding and Sale of Animals
- Tar, Tar Paper Products -Manufacture and Processing
- Scrap Metal, Junk or Salvage Storage
- Auto Wrecking or Shredding
- Material Recycling Facilities (MRF's)
- Commercial Composting Facilities

3. Minimum Tract Requirement - 3 Acres

4. Front Frontage on Road - Not less than 70 feet

5. Minimum Setback Lines -

- Front Yard - Not less than 100 feet on expressways, primary arterials, and secondary arterials. Not less than 40 feet on all other streets.
- Side Yard - Not less than 20 feet in width except a side yard abutting a street or road shall be not less than 40 feet in width
- Rear Yard - Not less than 40 feet in depth
- Minimum lot width at building line - None

6. Maximum Building Height - Shall not exceed 60 feet

7. Minimum Gross Ground Level Space Required - None

8. Parking - Off-street parking shall be provided in accordance with the provisions of this ordinance.

9. Loading and Unloading Berths - Loading and unloading berths shall be provided in accordance with the provisions of this ordinance.

D. EI-PD - Enclosed Industrial - Planned Development - This district is established for the purpose of developing businesses that qualify as enclosed industrial and used as a part of a comprehensive development including industrial parks.

1. Permitted Uses -

- All industrial uses as outlined in Figure 2 are permitted in this district provided the use conforms with the applicable requirements set forth in the general requirements and standards of this section.
- All businesses listed under “Enclosed Industrial” as contained in Figure 2.

2. Special Exceptions -

- General Construction Companies
- Painting and Decorating Contractors - Heavy Commercial
- Electrical Contractors - Heavy Commercial
- Plumbing Contractors - Heavy Commercial
- Concrete Contractors - Heavy Commercial
- Roofing Contractors - Heavy Commercial
- Sheet Metal Contractors - Heavy Commercial
- Septic System Contractors
- Ice and Coal Stations

- Coal Yards
- Salt Storage - Outside
- Night Clubs, Bars and Restaurants which have less than 50% of their proposed gross sales derived from food sales
- Kennels
- Lumber Yards - Including Millwork
- Liquor Stores
- Taverns
- Amusement Parks
- Manufactured Home Parks - In accordance with the provisions of WC 16.04.090
- Convents, Monasteries, Theological Schools, Rectories, Parish Houses
- Material Recycling Facilities (MRFs)
- Commercial Composting Facilities

Planned Business Developments for 5 or 10 acres or more for all classes of Local and General Businesses contained in Figure 2 do not require an approval as a special exception.

3. Minimum Tract Requirement - 20 acres
4. Lot Frontage on Road - Not less than 200 feet
5. Minimum Setback Lines - Front, Side and Rear Yards - Not less than 100 feet from expressways, primary arterials, and secondary arterials. Not less than 40 feet from all other streets.
6. Maximum Building Height - Shall not exceed 60 feet
7. Minimum Ground Level Square Footage - None. However, not more than eighty (80) percent of the total area of any lot or any development on multiple lots shall be occupied by buildings, roads, parking area, drainage facilities and other accessory uses.
8. Parking - Off-street parking shall be provided in accordance with the provisions of this chapter.
9. Loading and Unloading Berths - Loading and unloading berth shall be provided in accordance with the provisions of this chapter.
10. Application Procedures - Applications for a planned general office development shall consist of the following steps:

a) Preliminary plans presented to the Building Commissioner must -

- Be drawn to scale.
- Show dimensional boundaries of property to be developed.
- Indicate location, type and size of structures, and use and arrangement of all structures (details are not necessary).
- Show the proposed number of parking and loading spaces.
- Show the proposed locations and width of driveways, entrances and exits.
- Show all areas to be maintained as permanent open space.
- Provide a traffic study to include:
 - 1) A comparative analysis of present capacity of streets adjacent to the proposed development with potential capacity volumes, taking into consideration the effect the proposed development will have upon engendering additional traffic; and
 - 2) A circulation plan for all streets (existing and proposed) which will show recommendations for controlling, signaling, channeling, storing and warning traffic.
- Include a statement of financial responsibility which demonstrates the ability of the developer to proceed with construction and development
- Show locations and dimensions of sidewalks
- Provide for dedication of any right-of ways that may be necessary
- Show location of any easements for utilities, public or private
- Include a statement of proposed covenants to insure that the development plan is reasonable
- Insure proper drainage
- Provide a statement as to the proposed timetable for development if the project is to be done in phases
- Submit a preliminary plan indicating the proposed location of land within the property to be developed. Such plan shall indicate the proposed general location of such future buildings and construction requirements such as exterior design and height that shall be met by the developer, tenant, or owner including landscaping requirements, parking, traffic control patterns, and other information which will satisfy the Plan Commission as to the total size and impact of the planned business development

- b) After approval of the preliminary plans by the Plan Commission, the following is required for final plan approval:
- Engineering plans and specifications for all sanitary sewers, storm sewers, and water distribution lines, as well as telephone, gas and electric utility lines
 - Any changes from preliminary plans
 - Deed or easement agreements
 - Final Construction schedule stating the date for final construction on the proposed development
 - File a surety bond or escrow agreement to insure the final completion of all site improvements which includes streets, drives, walks, walls, water mains, storm and sanitary sewers, and landscape plantings. The bond shall be made to the town for an amount to be specified by the Town Council.
 - Landscaping Plan
- E. OI-PD - Open Industrial - Planned Development - This district is established for the purpose of developing businesses that qualify as open industrial and used as a part of a comprehensive development including industrial parks.
1. Permitted Uses - All open industrial uses as outlined in Figure 2 are permitted in this district provided the use conforms with the applicable requirements set forth in the general requirements and standards of this section.
 2. Special Exceptions -
 - Coal Yards
 - Ice and Coal Station
 - Scrap Metal, Junk or Salvage, Auto Wrecking-Shredding
 - Salt Storage
 - Trucking Companies
 - Abattoir (Slaughterhouse)
 - Coke Manufacturing
 - Concrete Mixing
 - Creosote Manufacturing and Treatment
 - Fat Rendering and Fertilizing Manufacturing
 - Foundries
 - Leather Curing
 - Malt Products, Brewery, Distillation of Liquor and Spirits
 - Manufacturing of Cement, Lime, Gypsum
 - Manufacturing of Chemicals and gases
 - Manufacturing of Detergents and Soaps
 - Manufacturing of Explosives, Matches and Fireworks
 - Manufacturing of Glue

- Manufacturing of Paper
- Manufacturing of Railroad Equipment
- Motor Truck Terminals
- Oil Processing and Refining, Manufacturing
- Hazardous Waste Facility
- Open Hearths and Blast Furnaces
- Production of Emulsified Asphalt and Asphalt Plants
- Reduction Plants
- Rock Crushing, Grinding, or Milling
- Sand, Gravel or Aggregate - Washing, Screening, Processing
- Slaughter House
- Slaughtering and Allied Food Processing
- Stockyards
- Tar and Tar Paper
- Atomic Power Plants
- Amusement Park
- Auto or Motorcycle Track
- Pet Cemeteries
- Kennels

Planned Business Developments for 5 or 10 acres or more for all classes of Local and General Businesses contained in Figure 2 do not require an approval as a special exception.

3. Minimum Tract Requirement - No real estate shall have an initial zone classification of OI-PD unless it is at least 20 acres in gross area.
4. Minimum Lot Size - None
5. Lot Frontage on Road - Not less than 200 feet
6. Minimum Setback Lines - Front, Side and Rear Yards - Not less than 100 feet from expressways, primary arterials, and secondary arterials. Not less than 40 feet from all other streets.
7. Maximum Building Height - Shall not exceed 60 feet
8. Minimum Ground Level Square Footage - None. However, not more than eighty percent of the total area of any lot or any development on multiple lots shall be occupied by buildings, roads, drainage facilities and other accessory uses.
9. Parking - Off-street parking shall be provided in accordance with the provisions of this chapter.

10. Loading and Unloading Berths - Loading and unloading berths shall be provided in accordance with the provisions of this chapter.

11. Application Procedures - Applications for a Planned General Office Development shall consist of the following steps:

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- Show locations and dimensions of sidewalks.
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- Show location of any easements for utilities, public or private.
- Include a statement of proposed covenants to insure that the development plan is reasonable.
- Insure proper drainage.
- Provide a statement as to the proposed timetable for development if the project is to be done in phases.
- Submit a preliminary plan indicating the proposed location of land within the property to be developed. Such plan shall indicate the proposed general location of such future buildings and construction requirements such as exterior design and height that shall be met by the developer, tenant, or owner including landscaping requirements, parking, traffic control patterns, and other information which will satisfy the Plan Commission as to the total size and impact of the planned business development.

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- Engineering plans and specifications for all sanitary sewers, storm sewers, and water distribution lines, as well as telephone, gas and electric utility lines.
- Any changes from preliminary plans.
- Deed or easement agreements.
- Final Construction schedule stating the date for final construction on the proposed development.
- File a surety bond or escrow agreement to insure the final completion of all site improvements which includes streets, drives, walks, walls, water mains, storm and sanitary sewers, and landscape plantings. The bond shall be made to the town for an amount to be specified by the Town Council.
- Landscaping Plan.